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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/913,470	11/09/2001	Vasco Vollmer	10191/1964	2584

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EXAMINER	
TSEGAYE, SABA	

ART UNIT	PAPER NUMBER
2662	

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/913,470	VOLLMER ET AL.	
	Examiner	Art Unit	
	Saba Tsegaye	2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 October 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *11-13 and 15-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *11-13 and 15-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This Office Action is in response the amendment filed 10/13/04. Claims 11-13 and 15-20 are pending. Currently no claims are in condition for allowance.

Claim Rejections - 35 USC § 103

2. Claims 11-13, 16, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raychaudhuri et al. (WATMnet: "A Prototype Wireless ATM system for Multimedia Personal communication" IEEE international conference on communications, pages 469-477) in view of Gaddis et al. (US 5,815,501).

Regarding claim 11, Raychaudhuri discloses a method for transmitting data packets in a communications system in a frame-oriented form between a master station and a plurality of subscribers (see title and abstract), comprising:

exchanging useful data packets and control data packets between the master station and the subscribers, at least one of the useful data packets and the control data packets being stored in containers within a transmission frame (page 473, Fig. 8);

storing an identifier in an information element within each of the containers within the transmission frame to identify a virtual connection to which at least of one the useful data packets belongs, the identifier indicating the connection to which at least one of the containers for user data packets transmitted by one of the subscribers to the master station belongs (field "VCI" (first field for a connection identifier) in the header of a data cell) (see Section 4 "protocol Implementation"; "Wireless control"; page 473, left-hand column to page 476, left

hand column), and freely dividing by the one of the subscribers a capacity allocated to the one of the subscribers by the master station among user data packets and control data packet (see Fig. 8, Section 4). Raychaudhuri does not disclose a second field for a number of subsequent containers for useful data packets.

Goddis teaches, in Fig. 6, an ATM cell that stores a VCI (a connection identifier) and a size field that indicates the number of meaningful bytes in the segment data field (claimed a number of subsequent containers for useful data packets) (column 8, lines 3-.

It would have been obvious to one ordinary skill in the art at the time the invention was made to add a second field for a number of subsequent containers, such as that suggested by Goddis, to the communication system of Raychaudhuri. One of ordinary skill in the art would have been motivated to do this because providing the number of subsequent containers would allow a receiver to know the exact number of the useful data packets sent by a transmitter.

Regarding claim 12, Raychaudhuri discloses the method wherein the storing step includes storing the identifier within at lest on of the control packets (see Fig 8, page 473, ACK packet).

Regarding claim 13, Raychaudhuri discloses the method further comprising:

transmitting the identifier in the information element, the information element including at least connection identifiers for subsequent containers for useful data packets of one connection (see Fig, 8; right hand column of page 475, "wireless control").

Regarding claim 16, Raychaudhuri discloses the method wherein the storing step includes storing in a header of the information element a type of fields contained in the information element (see Fig, 8; right hand column of page 475, "wireless control").

Regarding claim 19, Raychaudhuri discloses the method wherein a connection between the master station and the one of the subscribers stipulates whether containers for useful data packets in the transmission frame are filled with a plurality of control data packets (see Fig, 8; right hand column of page 475, "wireless control").

Regarding claim 20, Raychaudhuri discloses the method further comprising allocating terminal resources per subscriber or per subscriber terminal, the subscriber or subscriber terminal selecting the useful data packets of different connection (see Fig, 8; right hand column of page 475, "wireless control").

3. Claims 15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raychaudhuri in view of Goddis as applied to claim 11 above, and further in view of Perry (GB 2254529 A).

Raychaudhuri in view of Goddis discloses all the claim limitations as stated above, except for one connection identifier in the information element for every container for useful data packets.

Perry teaches that a message identifier MID allows several messages to be multiplexed on the same virtual channel. The value of the MID field is therefore unique for each sequence of segments.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add one connection identifier in the information element for every container for useful data packets, such as that suggested by Perry, to the system of Raychaudhuri in view of Goddis. One of ordinary skill in the art would have been motivated to do this because on connection identifier for every container allows a transmitter to identify each container where to send.

4. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Raychaudhuri in view of Goddis as applied to claim 11 above, and further in view of Chao et al. (US 6,389,031 B1).

Raychaudhuri in view of Goddis discloses all the claim limitations as stated above except for storing in the information element a length of information element.

Chao teaches, in Fig. 3A, an IP header 112 that describes Internet header length field 304 identifies the length of the header 112.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use teachings from Chao of storing in the information element a length of information element to the header of Raychaudhuri in view of Goddis. One of ordinary skill in the art would have been motivated to do this because storing the length of information element

tin the information element allows the receiver to know the exact size of the information element.

Response to Arguments

5. Applicant's arguments with respect to claims 1-13 and 15-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saba Tsegaye whose telephone number is (571) 272-3091. The examiner can normally be reached on Monday-Friday (7:30-5:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ST
February 14, 2005

JOHN PEZZLO
PRIMARY EXAMINER